

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TAWHYNE M. PATTERSON, SR.,
DAMON D. WILLIAMS, and DANTE
D. WILLIAMS,

Defendants.

4:19-CR-3011

TRIAL ORDER

This matter is before the Court on its own motion following a December 9, 2020 status conference regarding scheduling pursuant to the Court's order continuing all January jury trials due to the COVID-19 pandemic. *See* [General Order 2020-16](#). Without objection from the parties, it was agreed that trial should be set to commence on February 9, 2021, for an expected duration of at least 6, but no more than 9 trial days.

IT IS ORDERED:

1. The trial set for January 19, 2021 is continued.
2. This case, as to the three above-captioned defendants, is specially set for a jury trial before the undersigned judge in Courtroom 1 (Special Proceedings), Roman L. Hruska Federal Courthouse, 111 South 18th Plz, Omaha, NE, commencing at 9:00 a.m. on Tuesday, February 9, 2021, or as soon thereafter as the case may be called, and shall be the first case on the Court's trial calendar.

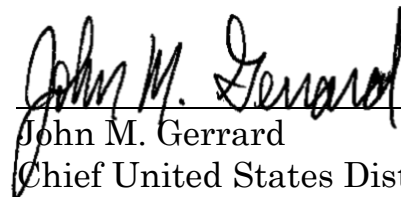
3. For the reasons stated in [General Order 2020-04](#), [General Order 2020-14](#) and [General Order 2020-16](#), the time between today's date and February 9, 2021, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act. *See* [18 U.S.C. § 3161 \(h\)\(7\)](#). Failing to timely object to this order will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.
4. A pretrial conference is scheduled to be held before the undersigned judge at 11:00 a.m. on Monday, February 8, 2021 in Courtroom 2, Roman L. Hruska Federal Courthouse, 111 South 18th Plz, Omaha, NE.
5. The filing, briefing, and hearing of any motions in limine, including *ex parte* motions and applications, shall be governed by NECrimR [12.1](#) to [12.6](#). Motions shall be filed on or before Tuesday, February 2, 2021.
6. The plaintiff shall file and serve on opposing counsel on or before Tuesday, February 2, 2021, as appropriate, all proposed jury instructions, trial briefs, suggested verdict forms, and witness lists. In particular, the plaintiff's witness list shall include the full name and address of each witness whom the party may call to testify at trial.
7. The defendants are also encouraged to provide the Court, on or before Tuesday, February 2, 2021, proposed jury instructions and a trial brief. Any materials so submitted shall not be disclosed to the plaintiff unless the defendants specify otherwise.

8. Exhibits must be listed before trial on exhibit forms available from the Clerk's office or on the Court's external web page at <http://www.ned.uscourts.gov/forms>. The exhibits should be numbered as provided by NECrimR 12.7.
9. The courtroom deputy will take custody of the exhibits after they are received by the Court.
10. Parties shall deliver to the Court, on or before Tuesday, February 2, 2021, trial copies of all exhibits in a three-ring binder organized for use by dividers or tabs. Exhibit binders shall be delivered to the Court at the Clerk's Office in the Omaha courthouse. Exhibits provided by the defendants shall not be disclosed to the plaintiff unless the defendants specify otherwise.
11. At 9:00 a.m. on the first day of trial, the Court will meet with counsel and clients, on the record in the courtroom. This will be an opportunity to dispose of any last minute matters, prior to trial. Voir dire will commence immediately thereafter.
12. Each subsequent day of trial will begin at 8:45 a.m. unless the Court directs otherwise.
13. Questioning of witnesses will be limited to direct examination, cross-examination, and redirect examination unless the Court allows further examination.

14. The Court will conduct an initial voir dire of the prospective panel. Counsel will be permitted to conduct follow-up voir dire in areas not covered by the Court's examination or in an area which may justify further examination in view of a prospective juror's response during the Court's voir dire.
15. Witnesses who do not appear to testify when scheduled will be considered withdrawn. The trial will then proceed with the presentation of any remaining evidence.
16. A list of the equipment available in the courtroom, and a virtual tour of the courtroom, is available on the Court's external web page at <http://www.ned.uscourts.gov/attorney/courtroom-technology>.
17. Counsel shall notify the courtroom deputy at least a week in advance if the services of an interpreter will be required for a hearing or trial.

Dated this 9th day of December, 2020.

BY THE COURT:



John M. Gerrard
Chief United States District Judge